

From the INTERNATIONAL BUREAU

PCT**NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)**

(PCT Rule 44bis.1(c))

To:

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| | | |
|---|---|---|
| Date of mailing (<i>day/month/year</i>) 10 January 2008 (10.01.2008) | | |
| Applicant's or agent's file reference 09991-169WO1 | | IMPORTANT NOTICE |
| International application No. PCT/US2005/036936 | International filing date (<i>day/month/year</i>) 12 October 2005 (12.10.2005) | |
| | | Priority date (<i>day/month/year</i>) 15 October 2004 (15.10.2004) |
| Applicant FUJIFILM DIMATIX, INC. et al | | |

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

| | |
|---|--|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland | Authorized officer Nora Lindner |
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

| | | |
|--|---|---|
| Applicant's or agent's file reference 09991-169WO1 | FOR FURTHER ACTION | See item 4 below |
| International application No. PCT/US2005/036936 | International filing date (<i>day/month/year</i>) 12 October 2005 (12.10.2005) | Priority date (<i>day/month/year</i>) 15 October 2004 (15.10.2004) |
| International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237 | | |
| Applicant FUJIFILM DIMATIX, INC. | | |

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 7 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

| | |
|---|--|
| The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland | Date of issuance of this report 24 December 2007 (24.12.2007) |
| Facsimile No. +41 22 338 82 70 | Authorized officer <div style="text-align: center; font-weight: bold; margin-top: 10px;">Nora Lindner</div> e-mail: pt02.pct@wipo.int |

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/036936

International filing date (day/month/year)
12.10.2005

Priority date (day/month/year)
15.10.2004

International Patent Classification (IPC) or both national classification and IPC
INV. G06K15/10 G06K15/02

Applicant
DIMATIX, INC.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaag 2
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Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
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Date of completion of
this opinion

see form
PCT/ISA/210

Authorized Officer

Jacobs, Peter

Telephone No. +31 70 340-1041



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/036936

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. ☐ This opinion has been established taking into account the **rectification of an obvious mistake** authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/036936

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|-----------------------|
| Novelty (N) | Yes: Claims | <u>3-6,21,22</u> |
| | No: Claims | <u>1,2,7-20,23-32</u> |
| Inventive step (IS) | Yes: Claims | |
| | No: Claims | <u>1-32</u> |
| Industrial applicability (IA) | Yes: Claims | <u>1-32</u> |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Re Item V.

1 Reference is made to the following document:

D1 : US 5 825 375 A (DROIT JIMMY L [US] ET AL) 20 October 1998 (1998-10-20)

2 INDEPENDENT CLAIMS 1, 15, 23 and 29

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claims 1, 15, 23 and 29 is not new in the sense of Article 33(2) PCT. Document D1 discloses the subject-matter of claim 1 (the references in parentheses applying to this document):

A method for synchronously printing an image on a workpiece (col. 1: lines 8-12), the method comprising: receiving image data at a location that is remote from a print head (col. 1: lines 57-61; col. 3: lines 32-35) ; arranging the received image data according to physical parameters of the print head to be used to print the image data on the workpiece (col. 5: lines 4-16); sensing the speed of the workpiece on a workpiece conveyor relative to the print head (col. 2: lines 37-41); detecting the position of the workpiece on a workpiece conveyor (col. 2: lines 32-37); forming a packet of image data (col. 4: lines 53-58); sending the packet of image data to the print head (col. 4: line 64- col. 5: line 6; and using the receipt of a packet of image data as a trigger to cause image data at the print head to be printed substantially immediately on the workpiece (col. 5: lines 4-14: lines 47-53).

The same reasoning applies to independent claims 15, 23 and 29. Therefore the subject-matter of claims 1, 15, 23 and 29 is not new (Article 33(2) PCT). Although D1 does not mention the use of an optical communication path (fiber optic cable) between the controller and the printhead(s) it is considered to be one of the possibilities from which a skilled person would choose in order to transmit data to the printhead. The present application also illustrates the possibility to use a copper cable (page 28: par. [00118]; page 29: par. [00120]; fig. 14) in order to transmit data to the printhead.

3 DEPENDENT CLAIMS 2-14, 16-22, 24-28, 30-32

Dependent claims 2-14, 16-22, 24-28, 30-32 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT). See the corresponding passages cited in the search report.

4 ARTICLE 6 PCT

Although claims 1 and 15 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.

5 ADDITIONAL REMARKS

- 5.1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
- 5.2 Independent claims should be in the two-part form in accordance with Rule 6.3(b) PCT, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
- 5.3 Where possible, claims should be provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/US2005/036936